



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of Witzgall  
Appln. No.: 09/469,070  
Filed: 12/21/1999  
For: Electro-Optical, Tunable, Broadband Color Modulator

Docket No.: TI-23879  
Art Unit: 2674  
Examiner: Abdulselam, A.

11/Notice of Appeal  
9-18-02  
NP  
COPY OF PAPERS  
ORIGINALLY FILED

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

August 21, 2002

Assistant Commissioner For Patents  
Washington, D. C. 20231

Sir:

MAILING CERTIFICATE UNDER 37 C.F.R. §1.8(A)	
I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date below.	
<u>Charles A. Brill</u>	<u>9/6/2002</u>
Sue Short	Date
<u>Charles A. Brill</u>	

**RECEIVED**

**SEP 18 2002**

Technology Center 2600

Applicant hereby appeals to the Board of Appeals from the decision mailed May 6, 2002 of the Primary Examiner finally rejecting Claims 1-10.

Please charge the fee of \$320.00 to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Two additional copies of this Notice are enclosed.

Respectfully submitted,

Charles A. Brill  
Attorney for Applicants  
Reg. No. 37,786

Texas Instruments Incorporated  
P. O. Box 655474, MS 3999  
Dallas, Texas 75265  
Phone: (972) 917-4379  
Fax: (972) 917-4417/4418